

REMARKS

Claims 1 - 38 are pending the application; Claims 1 - 18, 22 and 24 - 30 are withdrawn from consideration; Claims 19-21, 23 and 31-38 stand rejected. By this Amendment, Claims 1-18, 20, 22 and 32 have been cancelled, Claims 19, 21, 23-25, 27, 29, 31, and 33-38 have been amended; Claims 24-31 are here re-presented for rejoinder, and new Claims 39-49 have been added. These amendments and new claims add no new matter to the application.

Applicant gratefully acknowledges the Examiner interview of Dec. 7, 2006. Included in this response is Applicant's summary of the interview.

Turning now to the Office Action, the Examiner indicated that the claims could be improper if multiple dependent claims depend from other multiple dependent claims. Applicant has taken care to avoid this problem.

The Examiner has rejected claims 19, 20, 21, 23, and 31-38 as indefinite for use of the terms "PTI-777", "PTI-777 fraction", and "compound H". The amended claims render this rejection moot.

The Examiner has rejected claim 31 as indefinite for not clarifying which material is the subject of subsequent method steps. The amended claim renders this rejection moot. Additionally, claims 31-38 have been clarified to replace "agent" with "composition" as suggested by the Examiner.

By this amendment, the Applicant has cancelled all overlapping method claims, thus rendering moot the provisional double patenting rejection.

Applicant gratefully acknowledges the Examiner's determination of novelty for all fractions disclosed and claims, except for fractions F and J. The claims have been amended to remove these fractions as elements.

In the telephone interview noted above, the Examiner indicated that the rejoinder comments applied to the non-elected species. In response to this, new claims 40-48 have been added rejoining the non-elected species. Applicant will submit a Terminal Disclaimer to overcome double patenting rejections upon indication of allowable subject matter. The Examiner also noted that method of treatment claims reciting any allowed product by process claims could also be rejoined provided reference to "prevention" was removed. Applicant respectfully traverses this requirement, but in the interest of early arrival at a definition of allowable subject matter, Applicant re-presents claims 24-30 amended for clarification only to delete mention of the term "prevention".

During the Examiner interview, the Applicant also sought clarification of Examiner's comments on page 6 of the Office Action mailed 07/17/2006, that related to "incorporating the subject matter of claims 10 and 11 into claim 1". The Examiner indicated that this comment was directed to claim dependency regarding the production of non-elected species. In response to this, and as noted above, new claims 40-45 have been added directed to the non-elected species.

Finally, the Examiner's rejections under 35 USC 102(b) and 103(a) are now rendered moot.

Applicant believes that it has responded fully to all of the concerns expressed by the Examiner

in the Office Action, and respectfully requests that new Claims be entered and examined, and that early favorable action be taken on all claims pending in the application. Applicant respectfully requests reexamination of all rejected claims and early favorable action on them as well. If the Examiner has any further concerns, Applicant requests a call to Patrick Dwyer at (206) 550-4049.

Respectfully submitted,



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